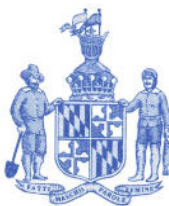


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For Immediate Release

January 9, 2009

BALTIMORE CITY MAYOR SHEILA A. DIXON INDICTED

State Prosecutor, Robert A. Rohrbaugh, has announced today that criminal charges have been filed against Baltimore City Mayor Sheila Dixon.

The Grand Jury for Baltimore City indicted Sheila A. Dixon, 55, in a twelve (12) count indictment. The indictment charges her with perjury, theft, fraudulent misappropriation by a fiduciary and misconduct in office.

According to the indictment, Ms. Dixon was the President of the Baltimore City Council in 2004 when the Council amended the Ethics Disclosure law, the goal of which law was to guard against improper influence or even the appearance of improper influence and to ensure the public trust in the government. Under the Ethics Disclosure Law, public employees, including Ms. Dixon, were required to disclose any gifts, including travel, which they have received, directly or indirectly, from any person who has a financial interest that might be substantially affected by the performance or non-performance of the public official's duties.

The indictment alleges that Ms. Dixon received in early 2004 various gifts from a real estate developer including travel, lodging and other gifts such as a gift certificate which was used by Ms. Dixon to purchase fur coats.

In December, 2004, Ms. Dixon received Best Buy gift cards, some of which were later used to purchase electronic devices, including a PS2, CDs and DVDs. In December, 2005, Ms. Dixon obtained Target and Best Buy gift cards from two (2) real estate developers. According to the indictment, Ms. Dixon told one of the developers that the gift cards were going to be distributed to the needy families in Baltimore. One of the paragraphs in the indictment alleges that nineteen (19) of the twenty (20) Best Buy gift cards which the real estate developer contributed around December 13, 2005 were used

by Ms. Dixon on December 18, 2005 to purchase a Digital Camcorder, a PlayStation 2 and other electronic devices for her personal benefit.

In December, 2006, Ms. Dixon received Old Navy, Best Buy and other gift cards for the purpose of distribution to needy families. She subsequently used the cards to purchase an Xbox 360, PlayStation Portable, clothes and other merchandise for her personal benefit. The indictment also alleges Ms. Dixon distributed some of the gift cards which she had received to her staff at an office Christmas party.

In December, 2007, Baltimore Housing purchased Toys R Us gift cards to be distributed to needy families in Baltimore during the Mayor's Holly Trolley event on December 20, 2007. One of the cards was given to a staff member by Ms. Dixon and five (5) others were located at her residence on June 17, 2008.

The State Prosecutor, Robert A. Rohrbaugh, said, "The public's trust in their elected officials is essential to the proper functioning of government. Baltimore City has enacted laws which are intended to assure the public trust will not be violated. Such laws are not to be ignored by the very officials who have enacted the law. The citizens of Baltimore have every right to expect their public officials will be open and honest and will not use the office for personal motives, gain or greed. "

For further inquiries, contact Special Agent William McMonagle at 410-321-4067.

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

*

V.

*

CASE NO:

SHEILA ANN DIXON

*

*

* * * * *

INDICTMENT

The Grand Jurors of the State of Maryland for the City of Baltimore do on their
oath present:

GENERAL ALLEGATIONS

I. BACKGROUND

1. From approximately 1988 through January, 2007 SHEILA ANN DIXON (hereinafter "SHEILA DIXON") was an elected member of the Baltimore City Council and served as the President of the Baltimore City Council from December, 1999 to January, 2007.
2. In her capacity as an elected member of the Baltimore City Council, SHEILA DIXON was required to file certain financial disclosure reports with the Baltimore City Ethics Board pursuant to Baltimore City Code, Article 8.
3. As the President of the Baltimore City Council, SHEILA DIXON served as the President of the Board of Estimates, which body is responsible for approving various actions, including certain contracts and zoning changes involving the City of Baltimore.

4. From January 17, 2007 to present, SHEILA DIXON was, and is, the elected Mayor of the City of Baltimore.

5. In her capacity as the elected Mayor of the City of Baltimore, SHEILA DIXON was required to file certain financial disclosure reports with the Baltimore City Ethics Board pursuant to Baltimore City Code, Article 8.

II. THE BALTIMORE CITY ETHICS BOARD FINANCIAL DISCLOSURE STATEMENT

6. Recognizing that the representative form of government is dependent on the trust of the people in their public officials, the Baltimore City Council enacted The Baltimore City Ethics Law (Article 8, Baltimore City Code) in 1985 because each citizen of Baltimore City has the right to be assured of the impartial and independent judgment of their public officials. Article 8 of the Baltimore City Ethics Law prohibited certain conduct, including the solicitation and acceptance of gifts, and required various Baltimore City public servants, including the members of the City Council and the Mayor, to file a Financial Disclosure Statement each year, under oath, with the Baltimore City Ethics Board.

7. The Baltimore City Ethics Law required that Baltimore City public servants disclose on the Financial Disclosure Statement any gift received during the reporting period, including travel expenses, worth more than \$50 (or a series of gifts worth \$150 or more) from any person that does business with or is regulated by or lobbies before the City.

8. The Baltimore City Ethics Law also prohibited public servants from soliciting

gifts. It also prohibited accepting gifts (1) from persons who do business or seek to do business of any kind, regardless of amount with the public servant's agency; or (2) from persons who engage in activity that is regulated or controlled by the public servant's agency; or (3) from persons who have a financial interest that might be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the public servant's official duties.

9. A primary purpose of the yearly Financial Disclosure Forms is to disclose, monitor and deter conflicts of interest, thereby maintaining public confidence in the integrity of Baltimore's public officials. The goal of the law is to guard against improper influence or even the appearance of improper influence, and to ensure public trust in the government.

10. On July 14, 2003, a Bill was introduced in the Baltimore City Council by then Baltimore City Council President SHEILA DIXON to revise certain specific portions of the Ethics laws, including changing the reporting period from a fiscal year to a calendar year.

11. The revised law prohibited a public servant from soliciting or accepting, directly or indirectly, any gift of any amount from (1) a person who does business or seeks to do business with the public servant's agency; (2) or engages in an activity that is regulated or controlled by the public servant's agency; (3) or has a financial interest that might be substantially and materially affected by the performance or non-performance of the public official's duties.

12. SHEILA DIXON voted in favor of the revised legislation and on July 8, 2004, the revised law was enacted. As a result, for 2004, SHEILA DIXON was required

to file two (2) Financial Disclosure Forms, one covering fiscal year 2004 and the other calendar year 2004.

13. From the calendar year ending on December 30, 2004 through to the present, SHEILA DIXON was required to file an annual Financial Disclosure Form with the Baltimore City Ethics Board for each respective calendar year.

14. From 2000 through to the present, the Financial Disclosure Forms filed by SHEILA DIXON with the Baltimore City Ethics Board, were required to be filed under oath and under penalties of perjury.

III. REAL ESTATE DEVELOPERS

15. At all times pertinent, Developer A, whose identity is known to the grand jury, individually, and through various corporations, limited liability companies, limited partnerships and joint ventures, did business with, and before, Baltimore City and the Baltimore City Council; was regulated by the City; and had a financial interest in real estate and land development projects in Baltimore which were affected by the Baltimore City Council and SHEILA DIXON in her capacity as President of the Baltimore City Council and as Chairman of the Baltimore City Board of Estimates, as well as in her capacity as Mayor.

16. At all times pertinent, Developer A owned and controlled a corporation which employed various persons whose identities are known to the grand jury and are identified herein as Developer A Employee #1, Developer A Employee #2 and Developer A Employee #3.

17. At all times pertinent, Developer B, whose identity is known to the grand jury, individually, and through various corporations, limited liability companies and joint

ventures did business with, and before, Baltimore City and the Baltimore City Council; was regulated by the City; and had a financial interest in real estate and land development projects in Baltimore which were affected by the Baltimore City Council and SHEILA DIXON in her capacity as President of the Baltimore City Council and as Chairman of the Baltimore City Board of Estimates, as well as in her capacity as Mayor.

IV. GIFT CERTIFICATE AND TRAVEL 2004

18. On or about December 24, 2003, Developer A Employee #1 purchased a two thousand dollar (\$2,000) gift certificate at a furrier and charged the purchase to his personal credit card. Developer A Employee #1 was subsequently reimbursed with a check in the amount of \$2,010.23 drawn on one (1) of the corporations owned and controlled by Developer A.

19. On or about January 15, 2004, SHEILA DIXON used the furrier gift certificate which had been purchased on December 24, 2003 by Developer A Employee #1 to buy a Persian Lamb coat and a burnt umber mink coat.

20. On or about January 23, 2004, while at the Ritz Carlton in Avon, Colorado, Developer A paid for personal services incurred by SHEILA DIXON in the total amount of \$257.94 which was charged originally to Developer A's room and later was paid using Developer A's American Express credit card.

21. Between February 18, 2004 and February 20, 2004 SHEILA DIXON and Developer A incurred various charges while in New York City, including lodging at the Trump International, travel, and meals. The charges exceeded \$3,200.00, which were charged to Developer A's American Express credit card and paid by the corporation owned and controlled by Developer A.

22. On or about March 16, 2004, Developer A Employee #1 charged on his personal credit card \$1,518.20 for a United Airlines plane ticket from Baltimore to Chicago with a departure date of March 23, 2004. The listed passenger for the ticket was SHEILA DIXON.

23. On or about March 24, 2004, Developer A purchased \$371.88 of various toners, brushes, facial cleansers, and moisturizers at Saks Fifth Avenue in Chicago and charged the purchases on his American Express credit card.

24. On or about March 25, 2004, SHEILA DIXON made charges at various stores, including Saks Fifth Avenue, Giorgio, Coach and St. John Boutique in Chicago totaling approximately \$7,853.17, which was charged to SHEILA DIXON'S American Express card. The total charges placed on SHEILA DIXON'S American Express card for the Chicago trip were in excess of \$9,500.

25. On or about Friday, April 2, 2004, between 7:30 am and 1:08 pm, three (3) calls were made between SHEILA DIXON'S cell phone and the cell phone of Developer A, the total of which lasted over ten (10) minutes.

26. On Friday, April 2, 2004, at 1:23 pm, Developer A Employee #3 cashed corporate check number 20326 in the amount of \$15,000.00, which cash was given to Developer A.

27. On or about Friday, April 9, 2004, a \$6,000.00 cash ATM deposit was made into the checking account of SHEILA DIXON.

28. On or about April 16, 2004, American Express issued a statement for the second of SHEILA DIXON'S American Express credit cards showing a total outstanding balance of \$16,207.57 with a minimum payment due of \$7,514.

29. On or about May 6, 2004, while being driven from her home, SHEILA DIXON handed forty (40) one hundred dollar bills (a total of \$4,000 in cash) to a person whose identity is known to the grand jury and is identified as Baltimore City employee #1. SHEILA DIXON requested that Baltimore City employee #1 deposit the money into his personal bank account and write his personal check payable to American Express in the amount of \$4,000.00 for the payment of SHEILA DIXON'S American Express bill.

30. On May 6, 2004 at 1:07 pm, Baltimore City employee #1 deposited forty (40) one hundred dollar (\$100) bills into his personal checking account.

31. On May 6, 2004 at 4:10 pm, Developer A called the private number of SHEILA DIXON, which call lasted 8 minutes.

32. On or about May 7, 2004, Baltimore City employee #1 wrote a check from his credit union bank account in the amount of \$4,000.00 payable to American Express for payment on SHEILA DIXON's American Express account.

33. On Friday, May 7, 2004, Developer A called SHEILA DIXON'S private telephone at 4:15 pm.

34. On or about May 8, 2004, SHEILA DIXON wrote a check in the amount of \$4,000 on her personal checking account payable to American Express.

35. On Saturday, May 8, 2004, SHEILA DIXON called Developer A's cell phone, which call lasted one (1) minute.

36. On Monday, May 10, 2004, two (2) four thousand dollar (\$4,000) payments, or a total of \$8,000, were posted by American Express to SHEILA DIXON'S American Express credit card account.

37. On Monday, May 10, 2004, a \$2,000 cash deposit was credited to

SHEILA DIXON'S savings account at First National Bank (now M&T).

38. On Monday, May 10, 2004 at 3:42 pm the cell phone of Developer A was called from SHEILA DIXON'S cell phone.

V. GIFT CARDS - 2004

39. On or about December 14, 2004 at 8:31 am, the BlackBerry of SHEILA DIXON was used to call Developer A's cell phone which call lasted approximately four (4) minutes.

40. On or about December 14, 2004 at 8:36 am, Developer A called SHEILA DIXON'S BlackBerry, which call lasted approximately four (4) minutes.

41. On or about December 16, 2004, at 12:38 pm, a \$2,000 corporate check #22399 was cashed by Developer A Employee #3 and the check stub entry listed the check as "cash donations to needy families."

42. On December 16, 2004 SHEILA DIXON called Developer A twice at 3:00 pm and 3:06 pm.

43. On or about December 16, 2004, at 8:17 pm, fifteen (15) \$50.00 Best Buy gift cards were purchased with cash at 1701 Belmont Avenue in Baltimore and two (2) of those gift cards were later used the following year on December 11, 2005, at the Best Buy store located at 600 E. Pratt Street by SHEILA DIXON to purchase \$237.92 worth of merchandise, including a PS2 game, CDs and DVDs, with the balance due on the purchase being charged to the personal credit card of SHEILA DIXON.

44. On or about December 17, 2004, two (2) calls were placed at 8:13 pm and 8:22 pm respectively from the cell phone of Baltimore City employee #1 to the cell phone of Developer A Employee #2.

45. On or about Sunday, December 19, 2004, a call was made from SHEILA DIXON's cell phone to the cell phone of Developer A Employee #2, which call lasted two minutes.

VI. GIFT CARDS - 2005

A. Developer A – Gift Cards

46. On or about December 13, 2005, Developer A's corporation issued corporate check #26122 in the amount of one thousand five hundred dollars (\$1,500) payable to Developer A Employee #2 for "Christmas gift card" which Developer A Employee #2 cashed.

47. On or about December 14, 2005 at 1:13 pm, a call was placed from the cell phone of Developer A Employee #2 to SHEILA DIXON'S BlackBerry which call lasted two (2) minutes.

48. On or about December 14, 2005 at 1:39 pm a call was placed from the cell phone of Developer A Employee #2 to SHEILA DIXON at the Council President's office which call lasted three (3) minutes.

49. On or about December 14, 2005, at 2:10 pm, six hundred dollars (\$600) of Target gift cards were purchased at the Target store in White Marsh, Maryland, using cash.

50. On or about December 14, 2005, at 2:40 pm, a call was placed from SHEILA DIXON'S BlackBerry to the cell phone of Developer A Employee #2, which call lasted four (4) minutes.

51. On or about December 15, 2005, at 5:33 pm, Developer A Employee #2 called SHEILA DIXON'S BlackBerry.

52. On or about December 15, 2005, at 6:45 pm, three hundred fifty dollars (\$350) of Target gift cards were purchased using cash at the Target store in Towson, Maryland.

53. On or about December 15, 2005 two (2) calls were made between the cell phone of Developer A Employee #2 and SHEILA DIXON'S BlackBerry at 7:58 pm and 7:59 pm, respectively.

54. On January 10, 2006, SHEILA DIXON used the remaining balance on one (1) of the Target gift cards that had been originally purchased using cash on December 14, 2005, and that had been partially used on December 20, 2005 to make a purchase of merchandise. SHEILA DIXON paid the balance due using her personal credit card.

55. On or about January 24, 2006, SHEILA DIXON used two (2) of the Target gift cards purchased with cash on December 14, 2005.

56. On or about Saturday, January 29, 2006, at 6:21 pm, SHEILA DIXON used two (2) of the Target gift cards in Ellicott City, Maryland which had been purchased with cash on December 15, 2005. SHEILA DIXON used her personal credit card to pay the balance of the purchase price.

B. Developer B – Gift Cards

57. On or about December 13, 2005, at 11:04 am, Developer B was contacted by SHEILA DIXON who requested that Developer B purchase gift cards for the needy families in Baltimore.

58. On or about December 13, 2005, at 12:21 pm, Developer B purchased twenty (20) twenty-five dollar (\$25), or a total of \$500, Best Buy gift cards using the personal credit card of Developer B.

59. On or about December 13, 2005, at 1:01 pm, Developer B purchased twenty (20) twenty-five dollar (\$25), or a total of \$500, Target gift cards using the personal credit card of Developer B.

60. On December 13, 2005, at 1:21 pm, Developer B called the BlackBerry of SHEILA DIXON which call lasted approximately two (2) minutes.

61. On or about Sunday, December 18, 2005 at approximately 12:04 pm, SHEILA DIXON purchased \$450.42 worth of merchandise from Best Buy, 600 E. Pratt Street, including a Samsung SCD 353 Digital Camcorder, a PlayStation 2 controller and other electronic equipment, using nineteen (19) of the twenty (20) Best Buy gift cards which had been purchased by Developer B on December 13, 2005.

62. On or about Tuesday, December 20, 2005, at approximately 8:21 pm, SHEILA DIXON purchased various merchandise at the Target store located on York Road in Cockeysville, Maryland, using four (4) of the twenty-five dollar (\$25) Target gift cards which had been purchased with cash on December 14, 2005 and one (1) twenty-five (\$25) gift card which had been purchased by Developer B on December 13, 2005.

63. On or about Saturday, December 31, 2005, SHEILA DIXON used the balance remaining on one (1) of the Best Buy gift cards purchased by Developer B on December 13, 2005 to buy merchandise.

64. On or about Saturday, January 29, 2006 at 3:26 pm, SHEILA DIXON used one (1) Target gift card purchased by Developer B on December 13, 2005, two (2) Target gift cards purchased on December 14, 2005 with cash, and one (1) Target gift card purchased on December 15, 2005 with cash.

VII. GIFT CARDS – 2006

65. On or about December 18, 2006, a corporate check of Developer A in the amount of \$2,500 was issued to Developer A Employee #2 for Christmas gift cards purportedly for needy families.

66. On or about December 18, 2006, Developer A Employee #2 deposited the two thousand five hundred dollar (\$2,500) check into his personal checking account.

67. On or about December 19, 2006, at 9:39 pm, Developer A Employee #2 purchased eighteen (18) Old Navy gift cards worth six hundred dollars (\$600.00) at 6901 Security Boulevard in Baltimore.

68. On or about December 19, 2006, at 9:59 pm, Developer A Employee #2 purchased eighteen (18) Best Buy gift cards worth six hundred dollars (\$600.00) at 1701 Belmont Avenue.

69. On or about December 20, 2006, at 1:36 pm, Developer A Employee #2 purchased eighteen (18) Circuit City gift cards worth six hundred dollars (\$600.00) at 6026 Baltimore National Pike in Baltimore.

70. On or about December 20, 2006, at 1:58 pm, Developer A Employee #2 purchased fourteen (14) fifty dollar (\$50) Giant Food gift cards worth seven hundred dollars (\$700.00) at the Giant Food store located at 4624 Edmondson Avenue in Baltimore. At 2:46 pm, a call was placed from Developer A's cell phone to SHEILA DIXON'S City BlackBerry which call lasted over two (2) minutes.

71. On or about December 21, 2006, at 11:12 am, Developer A entered the Lockwood Place Garage, which is connected to the Best Buy store at 600 E. Pratt Street.

72. On or about December 21, 2006, at 1:00 pm, Developer A exited the

Lockwood Place Garage.

73. On or about December 21, 2006 in two (2) purchases at 1:15 and 1:19 pm at the Best Buy located at 600 E. Pratt Street, SHEILA DIXON used eleven (11) of the eighteen (18) Best Buy gift cards which had been purchased by Developer A Employee #2 on December 19, 2006 to buy various merchandise, including an *Xbox 360 Need for Speed* bundle together with a 2-year Xbox product replacement plan and an iPod USB adapter.

74. On or about December 21, 2006, at approximately 10:15 pm Baltimore City Employee #1 used five (5) of the Circuit City gift cards, which Developer A Employee #2 had purchased on December 19, 2006 to buy a Sony PlayStation Portable (PSP) using SHEILA DIXON'S home address and telephone number. On the same date, at the same location at approximately 10:15 pm, SHEILA DIXON also made a purchase of merchandise using her personal credit card.

75. On or about December 22, 2006, SHEILA DIXON bought various clothes at Old Navy, including seven shirts, and used two (2) of the Old Navy gift cards, which had been purchased on December 19, 2006, by Developer A Employee #2.

76. On or about December 22, 2006 SHEILA DIXON, while President of the Baltimore City Council, distributed various gift cards as holiday gifts to her staff and others while at an office Christmas party

77. On or about December 22, 2006, while at the office Christmas party SHEILA DIXON gave Baltimore City Employee #2, whose identity is known to the grand jury, a Sony PlayStation Portable (PSP) together with Giant Food and Circuit City gift cards.

78. On or about December 23, 2006, at 12:08 pm, SHEILA DIXON bought an

iPod nano clear silicon case and a pink and silver iPod Nano Bling at Best Buy, using another Best Buy gift card which had been purchased by Developer A Employee #2 on December 19, 2006.

79. On or about December 27, 2006, Baltimore City Employee #3, whose identity is known to the grand jury and who is a personal friend of SHEILA DIXON, used a \$50.00 Giant Food gift card to purchase merchandise, which gift card had been purchased on December 20, 2006, by Developer A Employee #2.

80. On or about February 6, 2007 and February 16, 2007, Baltimore City Employee #4 whose identity is known to the grand jury used a \$50.00 Giant Food gift card to purchase merchandise, which gift card had been purchased on December 20, 2006 by Developer A Employee #2.

81. On December 6, 2007, a person whose identity is known to the grand jury and who is a relative of SHEILA DIXON, used one (1) of the Old Navy gift cards in New York City which had purchased on December 19, 2006 by Developer A Employee #2.

VII. GIFT CARDS - 2007

82. On or about December 12, 2007, and December 17, 2007, Baltimore City Employee #5, whose identity is known to the grand jury and who was employed by Baltimore Housing, purchased Toys R Us gift cards which were to be used during the 2007 holiday season and distributed to the needy and underprivileged children of Baltimore during the Mayor's Holly Trolley event on December 20, 2007.

83. On or about December 21, 2007, SHEILA DIXON gave a Toys R Us gift card which had been purchased on December 12, 2007 by Baltimore City

Employee #5, to a member of her staff, whose identity is known to the grand jury and is identified herein as Baltimore City Employee #6.

84. On or about June 17, 2008, five (5) of the Toys R Us gift cards which had been purchased on December 12, 2007 and December 17, 2007 by Baltimore City Housing Employee #5 were located at the personal residence of SHEILA DIXON and were under the dominion and control of SHEILA DIXON.

COUNT ONE

(Perjury – Criminal Law Article, §9-101)

SHEILA DIXON'S Fiscal 2004 Financial Disclosure Statement

85. The allegations contained in paragraphs 1-84 are re-alleged and incorporated herein by reference.

86. On or about November 1, 2004, at Baltimore City SHEILA DIXON filed and caused to be filed a document, signed under oath and under penalties of perjury, titled "Financial Disclosure Statement" for the reporting period July 1, 2003 through June 30, 2004 (hereinafter "Fiscal 2004 Financial Disclosure Statement") which Fiscal 2004 Financial Disclosure Statement was required by law to be submitted and filed with the Baltimore City Ethics Board.

87. Schedule 4, paragraphs 1-3 of the Fiscal 2004 Financial Disclosure Statement required that SHEILA DIXON identify and report her receipt of gifts, including the name of the person making the gift and the nature of the gift.

88. In response to the questions in paragraphs 1-3 of Schedule 4 on the Fiscal 2004 Financial Disclosure Statement, SHEILA DIXON reported that she had received a pass for two from the Senator Theatre which pass was rarely used. No other gifts were reported.

89. Paragraph 4 of Schedule 4 on the Fiscal 2004 Financial Disclosure Statement entitled "**Travel Expenses**" asked:

"If the gift entailed any payment for all or any part of a trip or for meals, beverages, lodging, entertainment, or other associated expenses, provide the following information for that trip:

Location: _____

Nature of Event: _____

Fair Market Value of Entire Trip: \$ _____

Amount Paid for by You: \$ _____

Amount Paid for by Person Identified in Section 1: \$ _____”

90. In response to Paragraph 4 of Schedule 4, SHEILA DIXON did not disclose any gifts and payments of travel expenses.

91. Part E of the Fiscal 2004 Financial Disclosure Statement is entitled, “SIGNATURE AND AFFIRMATION” and provides, “I, Sheila A. Dixon, solemnly affirm under the penalties of perjury that the contents (sic) the (sic) this Statement and of all accompanying Schedules are true to the best of my knowledge, information and belief.”

92. On or about November 1, 2004, SHEILA DIXON did willfully and falsely make an oath and affirmation under penalties of perjury that the contents of the her Fiscal 2004 Fiscal Disclosure Statement were true to the best of her knowledge, information and belief when in truth and in fact SHEILA DIXON knew that the gifts which she had received from July 1, 2003 through June 30, 2004, including the Mano Schwarz gift certificate and her travel expenses which were paid by Developer A were required to be reported on her Fiscal 2004 Financial Disclosure Statement, in violation of §9-101 of the *Criminal Law Article*, and against the peace, government and dignity of the State.

COUNT TWO

(Perjury – Criminal Law Article, §9-101)

SHEILA DIXON'S Calendar 2004 Financial Disclosure Statement

93. The allegations contained in paragraphs 1-84 are re-alleged and incorporated herein by reference.

94. On or about April 27, 2005, at Baltimore City, SHEILA DIXON filed and caused to be filed a document, signed under oath and under penalties of perjury, titled "Financial Disclosure Statement" for the reporting period January 1, 2004 through December 31, 2004 (hereinafter "Calendar 2004 Financial Disclosure Statement") which Calendar 2004 Financial Disclosure Statement was required by law to be submitted and filed with the Baltimore City Ethics Board.

95. Paragraph 4 on the Calendar 2004 Financial Disclosure Statement provides:

"GIFTS (INCLUDING TRAVEL EXPENSES) FROM PERSONS DOING BUSINESS WITH CITY

During the *reporting period* covered by this Statement, did any of the following accept, directly or indirectly, any *significant gift* (including payment of travel expenses) from *any person* that does *business with the City* {or is regulated by or lobbies before the *City*}?

If you answer "yes" to any of these, complete and attach Schedule 4.

- a. You
 ___ Yes ___ No
- b. A family member or other person at your direction
 ___ Yes ___ No"

96. In response to both questions in Paragraph 4, SHEILA DIXON checked "NO".

97. Schedule 4 attached to the Calendar 2004 Financial Disclosure Statement required SHEILA DIXON to identify all gifts received and travel expenses paid from persons doing business with the City.

98. SHEILA DIXON did not disclose on Schedule 4 the identity of any person who provided her with gifts or paid for her travel during calendar year 2004.

99. Part E of the Calendar 2004 Financial Disclosure Statement is entitled, "SIGNATURE AND AFFIRMATION" and provides, "I, Sheila A. Dixon, solemnly affirm under the penalties of perjury that the contents this Statement and of all accompanying Schedules are true to the best of my knowledge, information and belief."

100. On or about April 27, 2005, SHEILA DIXON did willfully and falsely make an oath and affirmation under penalties of perjury that the contents of the her Calendar 2004 Fiscal Disclosure Statement were true to the best of her knowledge, information and belief when in truth and in fact SHEILA DIXON knew that the gifts which she had received from January 1, 2004 through December 30, 2004, including the Mano Schwarz gift certificate and her travel expenses which were paid by Developer A in calendar year 2004 were required to be reported on her Calendar 2004 Financial Disclosure Statement, in violation of §9-101 of the *Criminal Law Article*, and against the peace, government and dignity of the State.

COUNT THREE

(Perjury – Criminal Law Article, §9-101)

SHEILA DIXON'S Calendar 2005 Financial Disclosure Statement

101. The allegations contained in paragraphs 1-84 are re-alleged and incorporated herein by reference.

102. On or about May 1, 2006, at Baltimore City, SHEILA DIXON filed and caused to be filed a document, signed under oath and under penalties of perjury, titled "Financial Disclosure Statement" for the reporting period January 1, 2005 through December 31, 2005 (hereinafter "Calendar 2006 Financial Disclosure Statement") which Calendar 2005 Financial Disclosure Statement was required by law to be submitted and filed with the Baltimore City Ethics Board.

103. Paragraph 4 on the Calendar 2005 Financial Disclosure Statement provides:

"GIFTS (INCLUDING TRAVEL EXPENSES) FROM PERSONS DOING BUSINESS WITH CITY

During the *reporting period* covered by this Statement, did any of the following accept, directly or indirectly, any *significant gift* (including payment of travel expenses) from *any person* that does *business with the City* {or is regulated by or lobbies before the *City*}?

If you answer "yes" to any of these, complete and attach Schedule 4.

a. You

_____ Yes _____ No

b. A family member or other person at your direction

_____ Yes _____ No"

104. In response to both questions in Paragraph 4, SHEILA DIXON checked "NO".

105. Schedule 4 attached to the Calendar 2005 Financial Disclosure Statement required SHEILA DIXON to identify all gifts received and travel expenses paid from persons doing business with the City.

106. SHEILA DIXON did not disclose on Schedule 4 the identity of any person who provided her with gifts, including any gift cards which had been purchased by Developers A and B, during calendar year 2005.

107. Part E of the Calendar 2005 Financial Disclosure Statement is entitled, "SIGNATURE AND AFFIRMATION" and provides, "I, Sheila A. Dixon, solemnly affirm under the penalties of perjury that the contents of this Statement and of all accompanying Schedules are true to the best of my knowledge, information and belief."

108. On or about May 1, 2006, SHEILA DIXON did willfully and falsely make an oath and affirmation under penalties of perjury that the contents of her Calendar 2005 Fiscal Disclosure Statement were true to the best of her knowledge, information and belief when in truth and in fact SHEILA DIXON knew that the gifts which she had received from January 1, 2005 through December 30, 2005, including the various gift cards for Best Buy and Target which were paid by Developers A and B in calendar year 2005, were required to be reported on her Calendar 2006 Financial Disclosure Statement, in violation of §9-101 of the *Criminal Law Article*, and against the peace, government and dignity of the State.

COUNT FOUR

(Perjury – Criminal Law Article, §9-101)

SHEILA DIXON'S Calendar 2006 Financial Disclosure Statement

109. The allegations contained in paragraphs 1-84 are re-alleged and incorporated herein by reference.

110. On or about April 30, 2007, at Baltimore City, SHEILA DIXON filed and caused to be filed a document, signed under oath and under penalties of perjury, titled "Financial Disclosure Statement" for the reporting period January 1, 2006 through December 31, 2006 (hereinafter "Calendar 2006 Financial Disclosure Statement") which Calendar 2006 Financial Disclosure Statement was required by law to be submitted and filed with the Baltimore City Ethics Board.

111. Paragraph 4 on the Calendar 2006 Financial Disclosure Statement provides:

"GIFTS (INCLUDING TRAVEL EXPENSES) FROM PERSONS DOING BUSINESS WITH CITY

During the *reporting period* covered by this Statement, did any of the following accept, directly or indirectly, any *significant gift* (including payment of travel expenses) from *any person* that does *business with the City* {or is regulated by or lobbies before the *City*}?

If you answer "yes" to any of these, complete and attach Schedule 4.

a. You

_____ Yes _____ No

b. A family member or other person at your direction

_____ Yes _____ No"

112. In response to both questions in Paragraph 4, SHEILA DIXON checked "NO".

113. Schedule 4 attached to the Calendar 2006 Financial Disclosure Statement required SHEILA DIXON to identify all gifts received and travel expenses paid from persons doing business with the City.

114. SHEILA DIXON did not disclose on Schedule 4 the identity of any person who provided her with gifts, including any gift cards, during calendar year 2006.

115. Part E of the Calendar 2006 Financial Disclosure Statement is entitled, "SIGNATURE AND AFFIRMATION" and provides, "I, Sheila A. Dixon, solemnly affirm under the penalties of perjury that the contents of this Statement and of all accompanying Schedules are true to the best of my knowledge, information and belief."

116. On or about April 30, 2007, SHEILA DIXON did willfully and falsely make an oath and affirmation under penalties of perjury that the contents of her Calendar 2006 Financial Disclosure Statement were true to the best of her knowledge, information and belief when in truth and in fact SHEILA DIXON knew that the gifts which she had received from January 1, 2006 through December 30, 2006, including the various gift cards for Best Buy, Old Navy and Circuit City which were purchased by Developer A in calendar year 2006, were required to be reported on her Calendar 2006 Financial Disclosure Statement, in violation of §9-101 of the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT FIVE

(Theft – 2005-Criminal Law Article, § 7-104)

117. The allegations contained in paragraphs 1- 84 are re-alleged and incorporated herein by reference.

118. Between on or about December 13, 2005 and January 29, 2006, at Baltimore City, SHEILA DIXON did steal gift cards donated to the Office of the City Council President by Developer B for the benefit of the needy and underprivileged families in Baltimore and valued at more than \$500.00 by soliciting said gift cards from Developer B under the false pretense that the gift cards would be used to aid needy Baltimore families and instead converted said gift cards to her own possession, use and benefit in violation of §7-104 the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT SIX

(Theft – 2006-Criminal Law Article, § 7-104)

119. The allegations contained in paragraphs 1- 84 are re-alleged and incorporated herein by reference.

120. Between on or about December 18, 2006 and December 6, 2007, at Baltimore City, SHEILA DIXON did steal gift cards donated to the Office of the City Council President by Developer A for the benefit of the needy and underprivileged families in Baltimore and valued at more than \$500.00 by soliciting said gift cards from Developer A under the false pretense that the gift cards would be used to aid needy Baltimore families and instead converted said gift cards to her own possession, use and benefit in violation of §7-104 of the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT SEVEN

(Theft – 2007-Criminal Law Article § 7-104)

121. The allegations contained in paragraphs 1- 84 are re-alleged and incorporated herein by reference.

122. During December, 2007, the exact date being unknown to the grand jury, at Baltimore City, SHEILA DIXON did steal and convert to her own use and possession certain gift cards which were purchased by Baltimore City Housing and provided to her to distribute to the needy and underprivileged families in Baltimore, the value of which was less than \$500.00, in violation of §7-104 of the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT EIGHT

**(Fraudulent Misappropriation by a Fiduciary - 2005)
(Criminal Law Article, §7-113)**

123. The allegations in paragraphs 1-84 are re-alleged and incorporated herein by reference.

124. Between on or about December 13, 2005 and January 29, 2006 at Baltimore City, SHEILA DIXON, in her fiduciary capacity as the duly elected President of the Baltimore City Council, while acting for and on behalf of the City of Baltimore, received certain gift cards valued in excess of \$500.00 donated to the City by Developer B for distribution to the use and benefit of needy and underprivileged families in the City of Baltimore, and, in violation of her fiduciary duty to the City and citizens of Baltimore, appropriated said gift cards to her own use and benefit, in violation of §7-113 of the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT NINE

**(Fraudulent Misappropriation by a Fiduciary -2006)
(Criminal Law Article, §7-113)**

125. The allegations in paragraphs 1-84 are re-alleged and incorporated herein by reference.

126. Between on or about December 18, 2005 and December 6, 2007, at Baltimore City, SHEILA DIXON, in her fiduciary capacity as the duly elected President of the Baltimore City Council, while acting for and on behalf of the City of Baltimore, received certain gift cards valued in excess of \$500.00 donated to the City by Developer A for distribution to the use and benefit of needy and underprivileged families in the City of Baltimore, and, in violation of her fiduciary duty to the City and citizens of Baltimore, appropriated said gift cards to her own use and benefit, in violation of §7-113 of the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT TEN

**(Fraudulent Misappropriation by a Fiduciary -2007)
(Criminal Law Article, §7-113)**

127. The allegations in paragraphs 1-84 are re-alleged and incorporated herein by reference.

128. Between on or about December 12, 2007 and on or about June 17, 2008, the exact date being unknown to the grand jurors, at Baltimore City, SHEILA DIXON, in her fiduciary capacity as Mayor of the City of Baltimore, while acting for and on behalf of the City of Baltimore, received certain gift cards valued at \$100.00, more or less, purchased by Baltimore Housing using City of Baltimore funds for distribution to the use and benefit of needy and underprivileged families in the City of Baltimore through the Mayor's Holly Trolley Tour and otherwise, and, in violation of her fiduciary duty to the City and citizens of Baltimore, appropriated said gift cards to her own use and benefit, in violation of §7-113 of the *Criminal Law Article* of the Annotated Code of Maryland and against the peace, government and dignity of the State.

COUNT ELEVEN

(Misconduct in Office – Common Law)

129. The allegations contained in paragraphs 1-84 are re-alleged and incorporated herein by reference.

130. At all times pertinent, SHEILA DIXON was a public officer who was acting as the Mayor of Baltimore City.

131. Between on or about December 21, 2007 and continuing until on or about June 17, 2008, at Baltimore City, SHEILA DIXON did, in violation and perversion of her duties as Mayor to uphold, enforce and obey the laws of the City of Baltimore and the State of Maryland, commit malfeasance by corruptly stealing and converting to her own use Toys R Us gift cards which had been purchased by the Baltimore City Housing in violation of the common law, and against the peace, government and dignity of the State.

COUNT TWELVE

(Misconduct in Office – Common Law)

132. The allegations contained in paragraphs 1-84 are re-alleged and incorporated herein by reference.

133. At all times pertinent, SHEILA DIXON was a public officer who was acting as the President of the Baltimore City Council and Chairperson of the Baltimore City Board of Estimates.

134. On or about April 30, 2007, at Baltimore City, SHEILA DIXON did corruptly and in violation of her duties under the Baltimore City Ethics Ordinance commit malfeasance by submitting to the Baltimore City Board of Ethics a false statement under oath, to wit: the Calendar 2006 Financial Disclosure Statement, well knowing that the statements contained therein were false and failed to include gifts, including Best Buy, Circuit City, Old Navy and other gift cards, which were provided to her by Developer A, well knowing that Developer A and the various entities owned and controlled by Developer A did business with the City of Baltimore and engaged in activities which were regulated by the Baltimore City Council and the Baltimore City Board of Estimates in violation of the common law, and against the peace, government and dignity of the State.



Robert A. Rohrbaugh
State Prosecutor